

Serial No. 09/583,171

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REMARKS/ARGUMENTS

Claims 9-14 are pending in this application. By this Amendment, Applicants cancel claims 16 and 17.

Claims 16 and 17 were objected to because claims 16 and 17 recite features that are already recited in independent claims 9 and 13. Applicants have canceled claims 16 and 17. Accordingly, Applicants respectfully request reconsideration and withdrawal of this objection.

Claims 9-14, 16 and 17 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Hickernell (U.S. 6,201,457) in view of Watanabe et al. (U.S. 6,633,748). As noted above, claims 16 and 17 have been canceled. Applicants respectfully traverse the rejection of claims 9-14 under 35 U.S.C. § 103(a) over Hickernell in view of Watanabe et al.

Watanabe et al. (U.S. 6,633,748) qualifies as prior art under 35 U.S.C. § 102(e)/103, and Watanabe et al. (U.S. 6,633,748) and the present application are commonly owned. Applicants submit herewith a Declaration under 37 C.F.R. § 1.130 which indicates that Watanabe et al. (U.S. 6,633,748) and the present application were, at the time the invention was made, commonly owned by the same company. Thus, Applicants respectfully submit that Watanabe et al. (U.S. 6,633,748) is disqualified as prior art in the present application. Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection of claims 9-14 under 35 U.S.C. § 103(a) as being unpatentable over Hickernell in view of Watanabe et al.

In view of the foregoing amendments and remarks, Applicants respectfully submit that Claims 9-14 are allowable.

In view of the foregoing amendments and remarks, Applicants respectfully submit that this application is in condition for allowance. Favorable consideration and prompt allowance are solicited.

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The Commissioner is authorized to charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 50-1353.

Respectfully submitted,

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